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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/635,275 | 08/09/2000 | James S. Hiscock | SYNER-162XX | 4949 |

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EXAMINER

DINH, KHANH Q

| ART UNIT | PAPER NUMBER |
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2151

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 09/635,275 | Applicant(s) HISCOCK ET AL. | |
| | Examiner Khanh Dinh | Art Unit 2151 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2004.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-20 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Amendment filed on 7/23/2004. Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 5, 6, 8-15, 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Bateman et al., US pat. No.5,884,032.

As to claim 1, Bateman discloses a self-service data interface, comprising:

first communications logic (agent workstation 12 fig.1) operative to provide communications with a personal data device (personal computer 18 fig.1) (providing data information or services to customers on the WWW server, see col.5 lines 1-53).

second communications logic (28 fig.1) operative to provide communications with a data infrastructure in a neighborhood of the self service data interface, the infrastructure providing available data services (establishing a self-serve session with an organization which subscribes to Customer Contact Channel Changer service), the second communications logic (28 fig.1) being coupled to the first communications logic (12 fig.1) to enable communications between the personal data device and the data

infrastructure, said second communications logic being responsive to said personal data device to invoke one of data services (using the server 28 fig.1 to provide information pertaining to an organizations products and services including self-serve sessions, see fig.1, abstract, col.5 line 1 to col.6 line 14).

a processor (management system 50 fig.1) coupled to the first and second communications logic, the processor being operative to execute a data interface management process including

interacting with the data infrastructure via the second communications logic to obtain information about available data services (providing a self-serve session with an organization which subscribes to Customer Contact Channel Changer service), the information including information describing the manner in which the available data services are accessed (see col.5 line 54 to col.6 line 60), and interacting with the personal data device via the first communications logic to provide the information about the available data services to a user of the personal data device (see col.7 lines 14-60).

As to claim 3, Bateman discloses that the wire link employs a carrier-sense multiple-access communications protocol (see col.6 lines 1-60).

As to claims 5 and 6, Bateman discloses the information about the available data services provided to the personal data device is formatted as a hypertext page which is a hypertext markup language (HTML) page (see col.6 lines 14-60).

As to claims 8 and 9, Bateman discloses the information about the available data services provided to the personal data device including hot links to locations within the data infrastructure a which the services can be accessed and including text formatted according to a structured naming scheme (see col.6 lines 1-61 and col.9 lines 19-63).

As to claims 10 and 11, Bateman discloses monitoring the status of the communications with the personal data device and monitoring the status of identified problems in the data infrastructure, and providing information reflecting the monitored status to the personal data device for use by the user (see figs.1, 6, col.7 line 22 to col.8 line 61 and col.9 lines 19-63).

As to claim 12, Bateman discloses a method by which a user of a personal data device obtains information about and access to data services available in a data infrastructure to which the personal data device is coupled, comprising:

storing information about the available data services in a data infrastructure, the information including information describing the manner in which the available data services are accessed (using the server 28 fig.1 to provide information pertaining to an organizations products and services including self-serve sessions, see fig.1, abstract, col.5 line 1-67).

providing the information stored in the data infrastructure (providing a self-serve session to a customer as an user) to a user presentation entity responsible for informing the user about the available data services including the manner in which they are

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accessed, the user presentation entity storing the information in a format enabling ready retrieval and perusal by the user (see col.6 lines 1-30).

providing the information stored in the user presentation entity to a cooperating entity in the personal data device (personal computer 18 fig.1) for presentation to the user and generating, at the personal data device, a message containing information provided from the user presentation entity identifying a service to be accessed in the data infrastructure (customer filling in the box 2-3 fig.2 information using HTML form) and sending the message to the data infrastructure (see col.6 lines 14-65).

upon receipt of the message from the personal data device at the data infrastructure (forwarding requests from customer to server 28 fig.2 for further processing), invoking the identified service and enabling the identified service to communicate with a cooperating entity in the personal data device for user interaction with the identified service (see col.7 line 14 to col.8 line 10).

As to claim 13, Bateman discloses cooperating with the user presentation entity is a browser (see col.5 lines 1-21).

Claims 14, 15 and 17-20 are rejected for the same reasons set forth in claims 5, 6 and 8-11 respectively.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 2, 4, 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman US pat. No.5,884,032 in view of Daswani et al., US pat. No.6,477,565.

Bateman's teachings still applied as in item 3 above. Bateman further discloses a wire link between server (28 fig.1) and a user (customer 2 fig.1). Bateman does not specifically disclose an interfacing device communicating to a wireless link, a master-slave communications and the hypertext page is an extensible markup language (XML) page. However, Daswani discloses communications interface to a wireless link (wireless communication to PC 47 of fig.1), a master-slave communications and the hypertext page is an extensible markup language (XML) page (see abstract, fig.1, col.5

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line 13 to col.6 line 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Daswani's teachings into the computer system of Bateman to process data information because it would have enabled users to access data records more quickly and allowed one to design a markup language for the easy interchange of documents on the World Wide Web.

Response to Arguments

6. Applicant's arguments filed on 7/23/2004 have been fully considered but they are not persuasive.

* Applicant asserts that the cited reference does not disclose obtaining information in which services can be invoked by a personal data device.

Examiner respectfully disagrees. Bateman discloses providing services (self-serve sessions) with an organization which subscribes to Customer Contact Channel Changer service including services to customers at personal data device (personal computer 18 fig.1) in the Internet as rejected above (see fig.1, col.5 line 1 to col.6 line 60).

Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1 and 12.

Claims 2-11 and 13-20 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action.

Accordingly, claims 1-20 are respectfully rejected.

Conclusion

8. Claims 1-20 are rejected.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (703) 308-6687. The fax phone number for this group is (703) 872-9306.

*A shortened statutory period for reply is set to expire **THREE months** from the mailing date of this communication. Failure to response within the period for response*

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will cause the application to become abandoned (35 U. S. C. Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2151
9/24/2004


ZARNI MAUNG
PRIMARY EXAMINER